

22045

UTILITY PATENT APPLICATION TRANSMITTAL

Address to: Mail Stop PATENT APPLICATION Commissioner for Patents U.S. Patent & Trademark Office P.O. Box 1450 Alexandria, VA 22313-1450	Attorney Docket No. GSIL 0186 PUS 2	17510 U.S. PTO 10/808094
	Inventor(s) or Appln. Identifier	Donald J. Svetkoff, Donald B. T. Kilgus, Warren Lin, Jonathan S. Ehrmann

1. This application entitled Method And System For High Speed Measuring Of Microscopic Targets is:
- a. A new application under 37 C.F.R. § 1.53(b).
- b. X A X continuation divisional or continuation-in-part application under 37 C.F.R. § 1.53(b) of prior application Serial No. 10/114,750 filed on April 2, 2002 (now USPN 6,452,686) entitled "Method And System For High Speed Measuring Of Microscopic Targets", which is a continuation of prior application Serial No. 09/035,564, filed on March 22, 1998 (now USPN 6,366,357) entitled "Method And System For High Speed Measuring Of Microscopic Targets".
- c. A new utility application which claims the benefit of provisional application Serial No. , filed on .

Application elements and other attached papers:

2. X Specification (including Claims and Abstract) [Total Pages 50]
3. X Drawings (informal / X formal) [Total Sheets 9]
4. X Oath or Declaration
- a. Newly-executed
- b. X Copy from a prior application (37 C.F.R. § 1.63(d))
5. Incorporation By Reference: The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Item 4b, is considered as being part of the disclosure of the accompanying application and is hereby incorporated by reference therein.
6. This application is filed by fewer than all the inventors named in the prior application, 37 C.F.R. § 1.53(d)(4).
- a. **DELETE** the following inventor(s) named in the prior nonprovisional application:
- b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.

CERTIFICATION UNDER 37 C.F.R. § 1.10

I hereby certify that this UTILITY PATENT APPLICATION TRANSMITTAL and the documents referred to as attached therein are being deposited on the below date with the United States Postal Service in an envelope as "Express Mail Post Office to Addressee" addressed to: Mail Stop Patent Application, Commissioner for Patents, U.S. Patent & Trademark Office, P.O. Box 1450, Alexandria, VA 22313-1450 on:

Express

Mail Label No. EL 992927019 USJudy Noble

(Type or print name of person mailing paper)

Date of Deposit: March 24, 2004

(Signature of person mailing paper)

7. Preliminary Amendment:

- a. ☒ A Preliminary Amendment Under 37 C.F.R. § 1.115 is attached.
- b. ☒ Cancel in this application original claims 1-35 of the prior application before calculating the filing fee.
- c. ☒ Please amend the specification by inserting before the first line the following sentence:
- "This application is a continuation of U.S. Application No. 10/114,750, filed April 2, 2002, now issued as U.S. Patent No. 6,452,686, which is a continuation of prior application Serial No. 09/035,564, filed on March 22, 1998, now issued as U.S. Patent No. 6,366,357."
- d. ☐ A Petition to Suspend Prosecution For The Time Necessary to File An Amendment (New Application Filed Concurrently) is attached.

8. Small entity status:

- a. ☐ Applicant claims small entity status.
- b. ☐ Small entity status was claimed in the prior nonprovisional application and such status is still proper and desired.
- c. ☐ Is no longer desired.

9. Fee Calculation:

FOR	NUMBER FILED	NUMBER EXTRA	RATE	CALCULATIONS
TOTAL CLAIMS (37 C.F.R. § 1.16(c))	4 -20 =	0	x 18.00	0
INDEPENDENT CLAIMS (37 C.F.R. § 1.16(b))	1 -3 =	0	x 86.00	0
MULTIPLE DEPENDENT CLAIMS (if applicable) (37 C.F.R. § 1.16(d))			290.00	0
BASIC FEE (37 C.F.R. § 1.16(a))				770.00
TOTAL OF ABOVE CALCULATIONS				770.00
REDUCTION BY 50% FOR FILING BY SMALL ENTITY (NOTE 37 C.F.R. §§ 1.9, 1.27, 1.28)				
\$40.00 ASSIGNMENT RECORDAL FEE (if applicable)				
TOTAL				770.00

10. ☒ A check in the amount of \$770 enclosed.
11. ☒ The Commissioner is hereby authorized to credit overpayments or charge the following fees (or any deficiency therein) to Deposit Account No. 02-3978 :
- a. ☒ Fees required under 37 C.F.R. § 1.16.
- b. ☒ Fees required under 37 C.F.R. § 1.17.
12. Maintenance of Copendency of Prior Application

☐ A request for extension of time and the appropriate fee have been filed in the pending prior application (or are being filed in the prior application concurrently herewith) to extend the period for response until _____.

13. ☒ An Information Disclosure Statement (IDS) is attached, along with the following indicated attachments thereto:
- a. ☒ Form PTO/SB/08A, PTO/SB/08B (3 sheets)
- b. ☐ Copies of references cited
14. ☐ Certified copy of priority document(s) AND ☐ English Translation Document (if applicable)
15. ☐ Nonpublication Request Under 37 C.F.R. § 1.213(a)
16. ☐ Request for Early Publication Under 37 C.F.R. § 1.219
17. ☒ Return Receipt Postcard
18. ☐ Other: _____
19. ☒ An Assignment of the invention to General Scanning, Inc.
 having an address of 1650 Voyager Avenue, Simi Valley, California 93063-0207
 was recorded on May 11, 1998 at Reel 9163, Frame 0522.
- An assignment of the invention from General Scanning, Inc. to GSI Lumonics Corporation
 having an address of 22300 Haggerty Road, Northville, Michigan 48167
 was recorded on June 23, 2003 at Reel 013751, Frame 0518.

c. ☐ Applicant requests that the above assignee information be published with the application.

20. The power of attorney in the prior application is to:

<u>David R. Syrowik</u>	<u>27,956</u>
Name of Attorney of Record	Reg. No.

☒ The power appears in the original papers in the prior application.

☐ The power does not appear in the original papers, but was filed on _____.

☐ A new power has been executed and is attached.

21. Correspondence Address: Please address all future communications to:

CUSTOMER NO.

22045

Telephone: 248-358-4400; Fax: 248-358-3351

Respectfully submitted,

Donald J. Svetkoff, Donald B. T. Kilgus,
 Warren Lin, and Jonathan S. Ehrmann

Date March 24, 2004



Name: Thomas W. Saur
 Registration No.: 45,075

☒ Attorney or agent of record
☐ Filed under Rule 34(a)